

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHARLES SPATAFORE and ELIZABETH  
SPATAFORE,  
Plaintiffs,

No. C 12-01730 SI

**ORDER DISMISSING CASE**

v.  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY, et al.  
Defendants.

On September 7, 2012, the Court issued an Order requiring plaintiffs to file an opposition or other response to defendants' motion to dismiss on or before September 14, 2012. The Court cautioned plaintiffs that if they failed to file a brief or other response to the pending motion to dismiss on or before that date, the Court would dismiss the case for failure to prosecute. As of this date, plaintiffs have not filed the required opposition or other response to the motion to dismiss. Accordingly, this case is dismissed without prejudice for failure to prosecute. *See Fed. R. Civ. Proc. 41(b).*

**IT IS SO ORDERED.**

Dated: September 21, 2012

*Susan Illston*

SUSAN ILLSTON  
United States District Judge